

CHARLES EVERETTE HINTON,

Plaintiff,

vs.

FORREST D. BRIDGES, et al.

Defendants.

THIS MATTER is before the Court on a review of Plaintiff's Application to Proceed Without Prepayment of Fees or Costs, and on an initial review of Plaintiff's Complaint, filed under 42 U.S.C. § 1983, (Doc. No. 1). 28 U.S.C. §§ 1915; 1915A.

[i]n no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section if the prisoner has, on 3 or more occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

Plaintiff is a frequent filer of pro se lawsuits in this district, having already filed 19 civil law suits. By Order dated March 24, 2009, this Court determined that Plaintiff is a three striker. See (Hinton v. Curran, 3:09-cv-110, Doc. No. 2). As in Plaintiff's previous actions filed in this Court, the Complaint here alleges vague conspiracies and constitutional violations by various individuals and entities. As this Court has found in Plaintiff's previous lawsuits with similar allegations, Plaintiff has not demonstrated that he is under imminent danger of serious physical

injury. Thus, the Complaint must be dismissed without prejudice pursuant to 28 U.S.C. § 1915(g).

Furthermore, in an Order dated July 27, 2012, this Court, the Honorable Patrick Michael Duffy, Senior District Judge, District of South Carolina, sitting by designation, warned Plaintiff that any more frivolous filings would result in the imposition of a pre-filing review system, with a pre-filing injunction to follow. See Hinton v. Conrad, 3:12-cv-367-PMD, (Doc. No. 9). Plaintiff was further warned that the Court would implement a pre-filing review system with the next frivolous filing by Plaintiff.

IT IS, THEREFORE, ORDERED that:

- (1) Plaintiff's Complaint is **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915(g);
- (2) Plaintiff's Application to Proceed In Forma Pauperis is **DENIED**.
- (3) Plaintiff is hereby ordered to show cause within 20 days of this Order as to why this Court should not impose a pre-filing review of all actions submitted to this Court for filing by Plaintiff. Plaintiff's memorandum shall not exceed 20 pages. If Plaintiff does not respond to this show cause Order within 20 days, the Court will enter an Order immediately implementing a pre-filing review of all actions by Plaintiff heretofore submitted to this Court for filing.

Signed: March 22, 2013



Robert J. Conrad, Jr.
Chief United States District Judge

